



CITY OF ROCHESTER, NEW YORK

**VARIANCE
SECTION 120-1**

DATED SEPTEMBER 14, 2012
BUREAU OF PLANNING AND ZONING
CITY HALL, 30 CHURCH STREET, ROOM 125B
ROCHESTER, NEW YORK 14614

APPLICATION

APPLICATIONS ARE ACCEPTED BY APPOINTMENT ONLY. To schedule an appointment, please call or e-mail Zina Lagonegro at (585) 428-7054 or zina.lagonegro@cityofrochester.gov

Office Use	<input type="checkbox"/> <u>AREA VARIANCE APPLICATION REQUIREMENTS:</u>
	<ul style="list-style-type: none"> <input type="checkbox"/> 1. Fee: \$250.00. <input type="checkbox"/> 2. One (1) copy of the Denied Certificate of Zoning Compliance (CZC), including signature by a Building Code Plan Reviewer. <input type="checkbox"/> 3. One (1) copy of the application, including responses to all Area Variance Standards (for area variance only). <input type="checkbox"/> 4. One (1) copy of the Environmental Assessment Form. <input type="checkbox"/> 5. One (1) copy of an Instrument Survey Map. <input type="checkbox"/> 6. Three (3) copies of a scaled site plan. <input type="checkbox"/> 7. One (1) copy of a scaled floor plan. <input type="checkbox"/> 8. One (1) copy of scaled elevations of proposed structures, or facade renovations to existing structures. <input type="checkbox"/> 9. One (1) copy of site plan, floor plan, elevation or other drawing no larger than 8-1/2" x 11". <input type="checkbox"/> 10. Photographs of the subject site, structures on the site, and surrounding properties.
Office Use	<input type="checkbox"/> <u>USE VARIANCE APPLICATION REQUIREMENTS:</u>
	<p>All of the above documents 1-10, plus:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1. One (1) copy of the completed Statement of Unnecessary Hardship. <input type="checkbox"/> 2. One (1) copy of the completed Statement of Income and Expense.

IMPORTANT

- ◆ Completed applications must be submitted before the published deadline.
- ◆ Applications must be submitted in the appropriate number as specified above.

POSTING REQUIREMENT

After submission of a complete application, a public notification sign will be issued and must be posted on the property at least 20 days prior to the hearing. The sign shall be placed on the property readily visible from the public right-of-way. It is the applicant's responsibility to obtain and post the sign. Signs are available in Room 125B, City Hall.

What is an Area Variance? An Area Variance is authorization by the Zoning Board of Appeals for the use of land in a manner that is not permitted by regulations of Zoning Ordinance related to: a dimension, such as size, height and setback; physical requirements; the expansion, structural alteration or enlargement of a nonconforming use; a waiver of additional requirements for specified uses; any City-wide or Village Center design standards.

What is a Use Variance? A Use Variance is authorization by the Zoning Board of Appeals for the use of land for a purpose that is otherwise not allowed or is prohibited by the Zoning Ordinance.

[FOR OFFICE USE ONLY]

ADDRESS: _____ **FILE NUMBER:** _____

DATE FILED: _____ **FEE:** _____

WHAT IS THE PROCESS?

1. Once accepted, the application is placed on the agenda for the next available Board or Commission public hearing. A public notification sign will be given to the applicant and must be posted at least twenty (20) days prior to the public hearing.
2. The applicant will be notified in writing of the date, place and time of the public hearing. In addition, property owners within a 300 foot radius of the affected property will be notified by mail of the pending application.
3. A Staff Report, prepared by a zoning staff person, containing all project information and documentation will be mailed to the applicant and the Board or Commission members prior to the scheduled hearing date.
4. It is the applicant's responsibility to attend the public hearing to present their proposal and to answer questions of the Board or Commission.
5. The Board or Commission will generally make its decision the same day as the hearing.
6. Written decisions of the Board or Commission are mailed to the applicant within ten (10) days following the Board or Commission's decision.

WHAT HAPPENS IF THE APPLICATION IS APPROVED?

An approval, or an approval on condition, does not authorize the proposed work to proceed, but only authorizes the filing of applications for permits or other approvals which may be required by City Code.

The rights to the approval will expire if a permit is not obtained and maintained within one (1) year of the filing date of the decision. The applicant may request an extension in writing from the Director of Planning and Zoning prior to the expiration of the approval. A nonrefundable fee of \$100 is required for an extension of time.

WHAT HAPPENS IF THE APPLICATION IS DENIED?

An appeal from any final decision of a Board or Commission must be taken within 30 days of the filing date of the decision in accordance with Article 78 of the New York Civil Practice Law and Rules.

Variance Application dated
September 14, 2012
PLEASE TYPE OR PRINT

PROJECT INFORMATION

1. PROJECT ADDRESS(ES): 564-568 Chili Avenue, Rochester, NY 14611

2. APPLICANT: JOAN C. ORTIZ COMPANY NAME: OSESSION BAR & GRILL, INC
ADDRESS: 94 McNaughton Street CITY Rochester, NY ZIP CODE: 14606
PHONE: (585) 576-5917 FAX: _____
E-MAIL ADDRESS: _____

INTEREST IN PROPERTY: Owner XXX Lessee _____ Other _____

3. PLAN PREPARER: Joan C. Ortiz
ADDRESS: _____ CITY: _____ ZIP CODE: _____
PHONE: _____ FAX: _____ BUILDING BUREAU
ROOM 121

4. ATTORNEY: Anthony P. LaFay, Esq.
ADDRESS: 36 West Main St., #770 CITY: Rochester, NY ZIP CODE: 14614
PHONE: 585-325-4064 Zoning \$250.00
FAX: 585-325-4062 564 CHILI AV
E-MAIL ADDRESS: _____ TTL \$250.00
CHECK \$20.00
INFO 564 CHILI AV
CASH \$160.00

5. ZONING DISTRICT: C-1

6. DETAILED PROJECT DESCRIPTION (additional information can be attached):
Application for permission to extend the business hours of operation
to 2:00 am from Monday through Saturday, instead of to 12:00 midnight

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased): _____

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.
Joan C. Ortiz

SIGNATURE: Joan C. Ortiz DATE: September 14, 2012
Joan C. Ortiz

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SIGNATURE: Joan C. Ortiz DATE: Sep 17. 2012



STATEMENT OF INCOME AND EXPENSE

City of Rochester, NY

PLEASE NOTE: AT HEARING TIME, APPLICANTS MAY BE ASKED TO PROVIDE AT LEAST TWO (2) CALENDAR YEARS OF FINANCIAL INFORMATION, OR FROM THE DATE OF PURCHASE, WHICHEVER IS LESS.

PROPERTY ADDRESS: 564-568 Chili Avenue, Rochester, N.Y. 14611

A. PROPERTY DATA

1. Date property was purchased by current owner January 15, 2008
2. Was a Certificate of Occupancy issued? Yes
Date of issuance? December 18, 2007
If so, for what use(s)? to re-establish the former use of the property as a restaurant and bar.
If not, why? _____
3. Cost of Purchase \$70,000.00
4. Original Amount of Mortgage(s) \$50,000.00
Mortgage Holder(s) Campanella & Archibald Corporation
Address 7117 Wildwood Lane, Victor, New York 14564
Interest Rate(s) 8% Term of mortgage(s) 5 years
balloon payment due February 1, 2013
5. Is the property for sale? No
If so, for how long? -----
asking price? -----
for what use(s)? -----
Have any offers been received? -----
If so, for what amount(s)? -----
Summarize any attempts to sell the property none

6. Present value of property Monroe County assessment is \$58,100.00 and the
Source of valuation City of Rochester assessment is \$70,000.00
city and county tax records

USE (# of Apts., Retail Store, Office, etc.)	UNIT SIZE (sq. ft.; # of bedrooms)	MONTHLY RENT AMOUNT	ANNUAL RENT AMOUNT
1. apartment	1 bedroom 1,000 sq.ft.	\$400.00	\$4,800.00
2. apartment	1 bedroom 1,000 sq.ft.	\$400.00	\$4,800.00
3. apartment	1 bedroom 1,000 sq.ft.	\$400.00	\$4,800.00
4. bar/restaurant	3,600 sq.ft.	\$0.00	\$0.00
5. The owner operates the restaurant/bar and had a net loss of			\$10,348.00 for
6. _____			
		TOTAL ANNUAL INCOME:	14,400.00
		LESS (8%) VACANCY FACTOR: (Explain, if greater than 8%)	1,152.00
		TOTAL ADJUSTED GROSS INCOME:	\$13,248.00

C. ANNUAL EXPENSES

1. Annual Fixed Charges

Real Estate Taxes (City & County)	County \$889.10 City \$4,081.00	\$4,970.10
Insurance		1,202.00
Average Annual Interest (over next 5 years).....		3,200.00

2. Operating Expenses

Electric	7,500.00
Fuel.....	7,300.00
Water	700.00
Pure Waters	850.00
Advertising	6,000.00
Miscellaneous (attach explanation) sports, bar package.....	2,200.00

3. Maintenance Expenses (attach list)

Repairs	5,500.00
General Building Maintenance	7,500.00
Yard and Ground Care	0.00
Miscellaneous	1,000.00
TOTAL ANNUAL EXPENSES:	\$ 35,382.00
PROFIT or (LOSS)	LOSS!!! \$ 22,134.00

D. TOTAL INVESTMENT

1. Down payment	\$20,000.00
2. Capital Improvements (attach list)	\$20,000.00
3. Principal paid to date (original mortgage less current principal balance)	\$32,100.16
TOTAL INVESTMENT:	\$72,100.00

E. RATE OF RETURN/YR. [Profit or Loss divided by Total Investment]

- 0.30

SIGNATURE OF PREPARER

Anthony P. LaFay
 Anthony P. LaFay

DATE Sept. 14, 2012



City of Rochester, NY

A use variance shall be granted only if the applicant can establish the existence of EACH of the following, in accordance with Section 120-195B(3) of the Zoning Ordinance:

A. No reasonable return. The subject property is not capable of yielding a reasonable rate of return if used for its present use or developed, redeveloped or used for any other use permitted in the district in which the property is located. There is no means other than the granting of the variance by which the property can yield a reasonable return. Such inability to yield a reasonable return must be shown by specific fact, and not the unsupported opinion of the owner or those appearing for the owner.

The applicant opened for business in October 2011, nearly 3 years after she purchased the property. Part of that delay was due to not having the proper authorization to conduct the restaurant business and part was due to lack of funds to perform necessary repairs and upgrades to the property. The apartments have generally sustained the operation. The applicant has been told by customer that her lack of success is due to the fact that she must close her doors at midnight- the time when most potential customers are going out for the evening. Since she is closed, they go to different restaurants and bars, several of which are walking distance from the applicant's place of business.

B. Unique circumstances. The inability to yield a reasonable return results from a unique circumstances peculiar to the subject property which do not apply to or affect other properties in the immediate vicinity that are subject to the same regulations. The personal situation of the owner shall not be considered a unique circumstance.

The unique circumstances which results in the applicant's failure to yield a reasonable return on her investment is that she must close her doors at midnight just when her competitors are welcoming customers at their busiest time. They all have permission to remain open until 2:00 am. The applicant was previously given permission to remain open until 2:00 am, however she lost that privilege because she was not able to open for business before the permission expired.

C. Not self created. The inability to yield a reasonable return is not the result of any action or inaction by the owner or their predecessors in title. Acquisition or improvement of the subject property at any time after the enactment of the provision sought to be varied shall raise a rebuttable presumption that the owner's inability to realize a reasonable return is the result of the owner's action.

The applicant's inability to secure a reasonable return on her investment is not the result of any action or deliberate inaction on her part- finances or lack thereof, prevented her from opening for business within the time limit and now the loss of the right to remain open until 2:00 am is the reason that she cannot compete for late night business.

Variance Application dated September 14, 2012- Statement of Unnecessary Hardship

D. Essential character of the area - surrounding uses and facilities. The granting of the variance will not be materially detrimental to the public health, safety, and welfare or injurious to the enjoyment, use, or development of neighboring properties and the community or the general plan (i.e. Zoning Ordinance and Comprehensive Plan intent).

The essential character of the area will not change if this application is granted. The applicant will be allowed to conduct business just as her nearby competitors do and it will have no impact on the area or surrounding uses and facilities.

E. No other remedy. There is no means other than the granting of the variance by which the hardship can be avoided or remedied to permit the economic use of the subject property.

The applicant believes that there is no other viable means by which her hardship can be avoided, except by allowing her to compete for the same customers as her competitors on a equal basis. The applicant offers food and drink and live entertainment at her place of business, but her customers all have to leave at midnight and they then join their friends at other neighborhood establishments. The customers would mostly remain at her place of business after midnight, if she didn't have to close.

Some of the applicant's nearby competitors who can remain open until 2:00 am are the following:

TURN IN TAVERN 651 Chili Ave., Rochester, NY 14611 (585) 235-4640

ECLIPSE BAR & LOUNGE 374 Thurston Rd., Rochester, NY 14618 585-235-9409

THURSTON BAR & GRILL 529 Thurston Rd., Rochester, NY 14619 585-235-9653

JULIUS CAFE, INC. 543 Thurston Rd., Rochester, NY 14619

CLASSICS BAR & GRILL, LLC 685 Thurston Rd., Rochester, NY 14619
585-235-4260

PI'S LOUNGE 1 499 West Ave., Rochester, NY 14611 585-235-1630



City of Rochester, NY

CITY OF ROCHESTER
Environmental Assessment Form
 (to be completed by applicant/initiator)

SHORT FORM**FOR CITY USE ONLY**

Project I.D. (File) No(s).:

Project Title:

Date Filed:

Lead Agency:

Review By:

Determination Recommendation: [] 1. No significant impact
 [] a. No mitigation period required
 [] b. Mitigation period required
 [] 2. EIS required
 [] 3. Long Form required

Fee Paid: \$ _____ (have form stamped or attach receipt)

PART I - Project Information**AFFIDAVIT**

"I affirm that the information provided herein is true and I understand that this application will be accepted for all purposes as the equivalent of an affidavit, and if it contains a material false statement, shall subject me to the same penalties for perjury as if I had been duly sworn."

Completed by:

Anthony P. LaFay
 Name (type or print)

Sept. 14, 2012
 Date

1. APPLICANT/INITIATOR INFORMATION

A. Name of Applicant(s)/Initiator(s): JOAN C. ORTIZ d/b/A Obsession Bar & Grill, Inc.

Address: 94 McNaughton StreetCity: Rochester State: N Y Zip Code: 14606Phone: 585-576-5917 Fax: none

E-mail Address: _____

B. Name of Agency/Individual preparing this form: Anthony P. LaFay, Esq.

Address: 36 West Main Street, Suite 770City: Rochester State: New York Zip Code: 14614Contact Person: Anthony P. LaFay E-mail Address: _____Phone: 585-325-4064 Fax: 585-325-5362

2. PROJECT DATA

A. Attach a project location map, site plan, elevations and proposed landscaping plans.

B. Property Location: 564-568 Chili Avenue, Rochester, N.Y. 14611

C. Total land areas: 3,646 square feet

D. Tax Account No. (SBL): 120.55-3-16.001

DETAILED PROJECT DESCRIPTION (include all development or redevelopment of the project site and proposed use(s):

The applicant does not propose any construction or renovations of any kind. She merely wishes to extend the hours of her bar & grill business to 2:00 am Mondays through Saturdays and closed on Sunday.

3. ENVIRONMENTAL INDICATORS

Are any of the following land uses or environmental resources either to be affected by the proposal or located within or adjacent to the project site(s)? Check appropriate box for every item of the following checklist:

	Yes	No	Unk		Yes	No	Unk
a. Industrial	[]	[x]	[]	t. Freshwater Wetlands designated by DEC	[]	[x]	[]
b. Commercial	[]	[x]	[]	u. Floodplain as designated by Federal Insurance Administration	[]	[x]	[]
c. Office	[]	[x]	[]	v. Within 100' of Genesee River, River Gorge, Erie Canal, Lake Ontario	[]	[x]	[]
d. Residential	[]	[x]	[]	w. Scenic views or vistas of importance to the community.	[]	[x]	[]
e. Utilities	[]	[x]	[]	x. Wildlife, including habitats	[]	[x]	[]
f. Parking	[]	[x]	[]	y. Air quality	[]	[x]	[]
g. Streets	[]	[x]	[]	z. Historical, archaeological sites (listed on National Register or eligible for listing) and/or designated City Landmarks/Preservation District	[]	[x]	[]
h. Parks	[]	[x]	[]				
i. Hospitals	[]	[x]	[]				
j. Schools	[]	[x]	[]				
k. Open Spaces	[]	[x]	[]				
l. Steep Slopes (15% or greater)	[]	[x]	[]				
m. Mature trees	[]	[x]	[]				
n. Shoreline	[]	[x]	[]				
o. Erodible Soils	[]	[x]	[]				
p. Energy Supplies	[]	[x]	[]				
q. Hazardous Materials	[]	[x]	[]				
r. Natural Drainage Course, Stream or other water body	[]	[x]	[]				
s. Ambient noise levels	[]	[x]	[]				

4. Are any facilities under your ownership, lease, or supervision to be utilized in the accomplishment of this project, either listed or under consideration for listing on the Environmental Protection Agency's List of Violating Facilities? [] Yes [x] No

5. Is there public controversy concerning the project? [] Yes [x] No
If yes, explain: _____

6. PRIOR REVIEW

A. Has an environmental impact statement (EIS)/analysis been prepared for this project or a project inclusive of this project at an earlier date? [x] Yes [] No

If yes, identify the EIS/analysis, including the date of preparation and the agency for which it was prepared or attach a copy. The applicant believes that an EIS was submitted in 2008 when she applied for a variance to re-open and re-establish the restaurant business after a lapse of several years.

B. Has the State Historic Preservation Officer (SHPO) been provided a detailed project description and been requested to comment thereon? [] Yes [x] No
Date submitted to SHPO: _____

Variance Application dated September 14, 2012- Environmental Assessment Form

7. Identify all governmental actions (i.e. funding, permits, approvals, leases, etc.) necessary for project implementation:

	<u>Level of Government & Agency</u>	<u>Type of Action</u>	<u>Status</u>	<u>Project ID#</u>
Federal		none		
State		New York State Liquor Authority has already granted the applicant a license. She only needs the City of Rochester's permission to extend her hours of operation to 2:00 am.		
Local		See above.		

8. **SUMMARY OF ISSUES**

List the potential environmental impacts/issues as identified by responses to sections 3, 4, 5 and 6 above. Discuss alternatives and mitigation measures for these issues.

There are no potential environmental issues identified by the responses to sections 3,4,5 and 6.

564 Chili Avenue - Ortiz

Compound Period : Monthly

Nominal Annual Rate ... : 9.000 %

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	01/01/2008	50,000.00	1		
2 Payment	02/01/2008	633.38	59	Monthly	12/01/2012
3 Payment	01/01/2013	31,145.29	1		

AMORTIZATION SCHEDULE - Normal Amortization

	Date	Payment	Interest	Principal	Balance
Loan	01/01/2008				50,000.00
1	02/01/2008	633.38	375.00	258.38	49,741.62
2	03/01/2008	633.38	373.06	260.32	49,481.30
3	04/01/2008	633.38	371.11	262.27	49,219.03
4	05/01/2008	633.38	369.14	264.24	48,954.79
5	06/01/2008	633.38	367.16	266.22	48,688.57
6	07/01/2008	633.38	365.16	268.22	48,420.35
7	08/01/2008	633.38	363.15	270.23	48,150.12
8	09/01/2008	633.38	361.13	272.25	47,877.87
9	10/01/2008	633.38	359.08	274.30	47,603.57
10	11/01/2008	633.38	357.03	276.35	47,327.22
11	12/01/2008	633.38	354.95	278.43	47,048.79
2008 Totals		6,967.18	4,015.97	2,951.21	
12	01/01/2009	633.38	352.87	280.51	46,768.28
13	02/01/2009	633.38	350.76	282.62	46,485.66
14	03/01/2009	633.38	348.64	284.74	46,200.92
15	04/01/2009	633.38	346.51	286.87	45,914.05
16	05/01/2009	633.38	344.36	289.02	45,625.03
17	06/01/2009	633.38	342.19	291.19	45,333.84
18	07/01/2009	633.38	340.00	293.38	45,040.46
19	08/01/2009	633.38	337.80	295.58	44,744.88
20	09/01/2009	633.38	335.59	297.79	44,447.09
21	10/01/2009	633.38	333.35	300.03	44,147.06
22	11/01/2009	633.38	331.10	302.28	43,844.78
23	12/01/2009	633.38	328.84	304.54	43,540.24
2009 Totals		7,600.56	4,092.01	3,508.55	
24	01/01/2010	633.38	326.55	306.83	43,233.41
25	02/01/2010	633.38	324.25	309.13	42,924.28
26	03/01/2010	633.38	321.93	311.45	42,612.83
27	04/01/2010	633.38	319.60	313.78	42,299.05
28	05/01/2010	633.38	317.24	316.14	41,982.91
29	06/01/2010	633.38	314.87	318.51	41,664.40
30	07/01/2010	633.38	312.48	320.90	41,343.50

564 Chili Avenue - Ortiz

	Date	Payment	Interest	Principal	Balance
31	08/01/2010	633.38	310.08	323.30	41,020.20
32	09/01/2010	633.38	307.65	325.73	40,694.47
33	10/01/2010	633.38	305.21	328.17	40,366.30
34	11/01/2010	633.38	302.75	330.63	40,035.67
35	12/01/2010	633.38	300.27	333.11	39,702.56
2010 Totals		7,600.56	3,762.88	3,837.68	
36	01/01/2011	633.38	297.77	335.61	39,366.95
37	02/01/2011	633.38	295.25	338.13	39,028.82
38	03/01/2011	633.38	292.72	340.66	38,688.16
39	04/01/2011	633.38	290.16	343.22	38,344.94
40	05/01/2011	633.38	287.59	345.79	37,999.15
41	06/01/2011	633.38	284.99	348.39	37,650.76
42	07/01/2011	633.38	282.38	351.00	37,299.76
43	08/01/2011	633.38	279.75	353.63	36,946.13
44	09/01/2011	633.38	277.10	356.28	36,589.85
45	10/01/2011	633.38	274.42	358.96	36,230.89
46	11/01/2011	633.38	271.73	361.65	35,869.24
47	12/01/2011	633.38	269.02	364.36	35,504.88
2011 Totals		7,600.56	3,402.88	4,197.68	
48	01/01/2012	633.38	266.29	367.09	35,137.79
49	02/01/2012	633.38	263.53	369.85	34,767.94
50	03/01/2012	633.38	260.76	372.62	34,395.32
51	04/01/2012	633.38	257.96	375.42	34,019.90
52	05/01/2012	633.38	255.15	378.23	33,641.67
53	06/01/2012	633.38	252.31	381.07	33,260.60
54	07/01/2012	633.38	249.45	383.93	32,876.67
55	08/01/2012	633.38	246.58	386.80	32,489.87
56	09/01/2012	633.38	243.67	389.71	32,100.16
57	10/01/2012	633.38	240.75	392.63	31,707.53
58	11/01/2012	633.38	237.81	395.57	31,311.96
59	12/01/2012	633.38	234.84	398.54	30,913.42
2012 Totals		7,600.56	3,009.10	4,591.46	
60	01/01/2013	31,145.29	231.87	30,913.42	0.00
2013 Totals		31,145.29	231.87	30,913.42	
Grand Totals		68,514.71	18,514.71	50,000.00	

12/19/2007 9:12:13 AM Page 3

564 Chili Avenue - Ortiz

Last interest amount increased by 0.02 due to rounding.



Variance Application dated September 14, 2012- Denied Certificate of Zoning
Compliance Form

DENIED CERTIFICATE OF ZONING COMPLIANCE FORM

0564 CHILI AV

14611

CERTIFICATE #: 1121864

III. STAFF REVIEW: TO BE COMPLETED BY ZONING STAFF:

1. ZONING DIST : C-1 DIST BOUNDARY LOT : Y PRES/LANDMARK : N

DESIGNATED BUILDING OF VALUE: N

CURRENT LEGAL USE: MIXED USE

BASIS FOR LEGAL USE: COFO

2. APPLICATION DENIED PURSUANT TO CODE SECTION(S): 120-34

APPLICATION DENIED DUE TO OUTSTANDING NOTICE OF VIOLATION NO: 000000

SPECIFIC REASON FOR DENIAL:

INTENSIFICATION OF A NONCONFORMING USE REQUIRES A USE VAR

FOR APPLICATIONS DENIED PURSUANT TO CODE, THE FOLLOWING FORM(S) OF RELIEF IS/ARE AVAILABLE:

{ } Site Plan Review{Major}	{ } Area Variance	{ } Use Variance
{ } Site Plan Review{Minor}	{ } Certificate of Appropriateness	{ } Special Permits
{ } Certificate of Nonconformity	{ } Administrative Resubdivision	{ } Zoning Map Amendment
{ } Administrative Adjustment	{ } Subdivision	{ } Planned Development
{ }		

Environmental Assessment Form Required (EAF)?

MANAGER OF ZONING (STAFF)

JH

9/12/12

DATE

A PRELIMINARY REVIEW FOR COMPLIANCE WITH THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE MUST BE COMPLETED PRIOR TO APPLYING FOR ANY OF THE SPECIFIED FORMS OF RELIEF NOTED ABOVE.

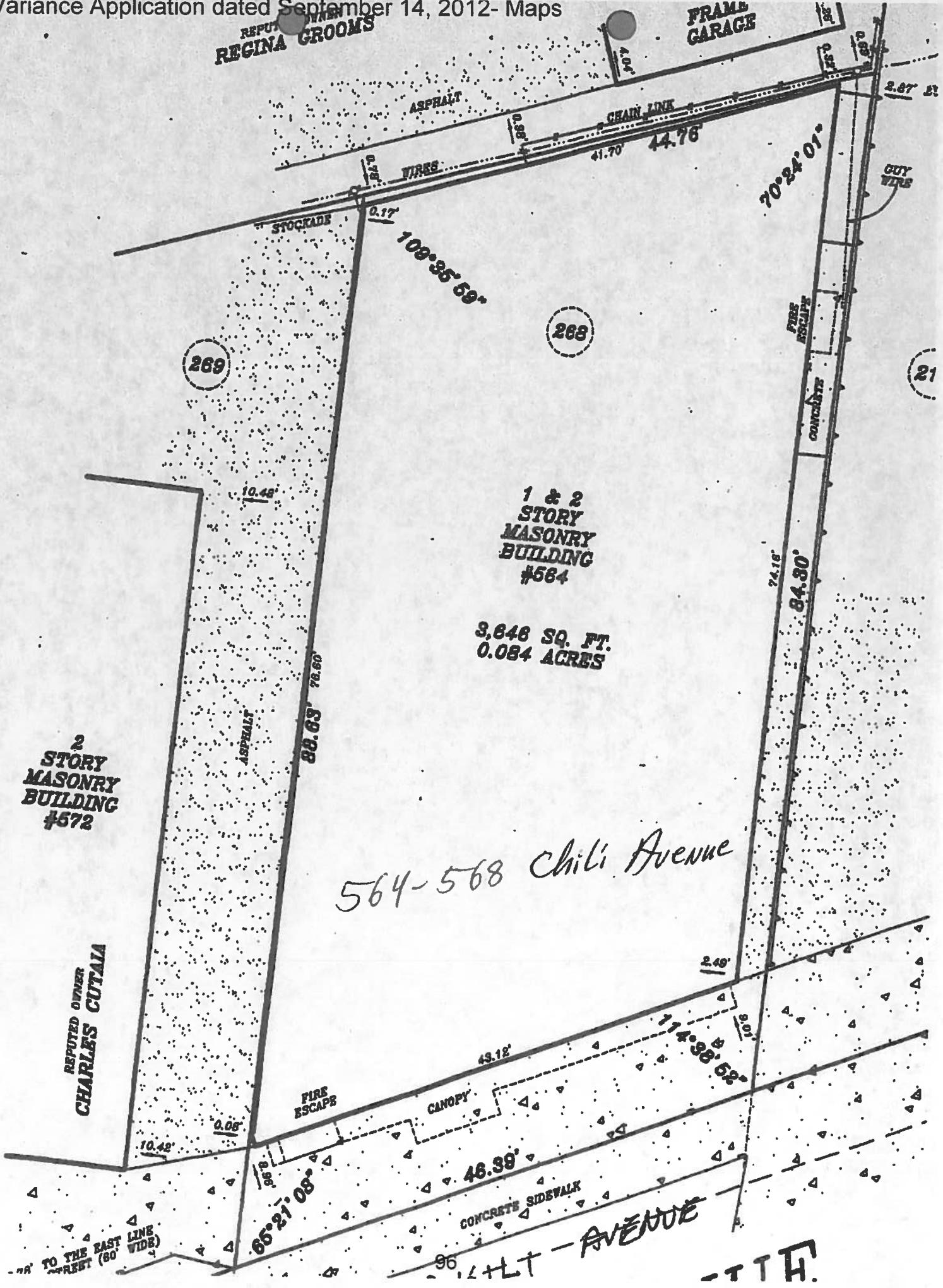
I MA Plan Review, have conducted a preliminary review of the project for compliance with the N.Y. State Fire Prevention and Building

Project is in Compliance

More detailed information or plans required

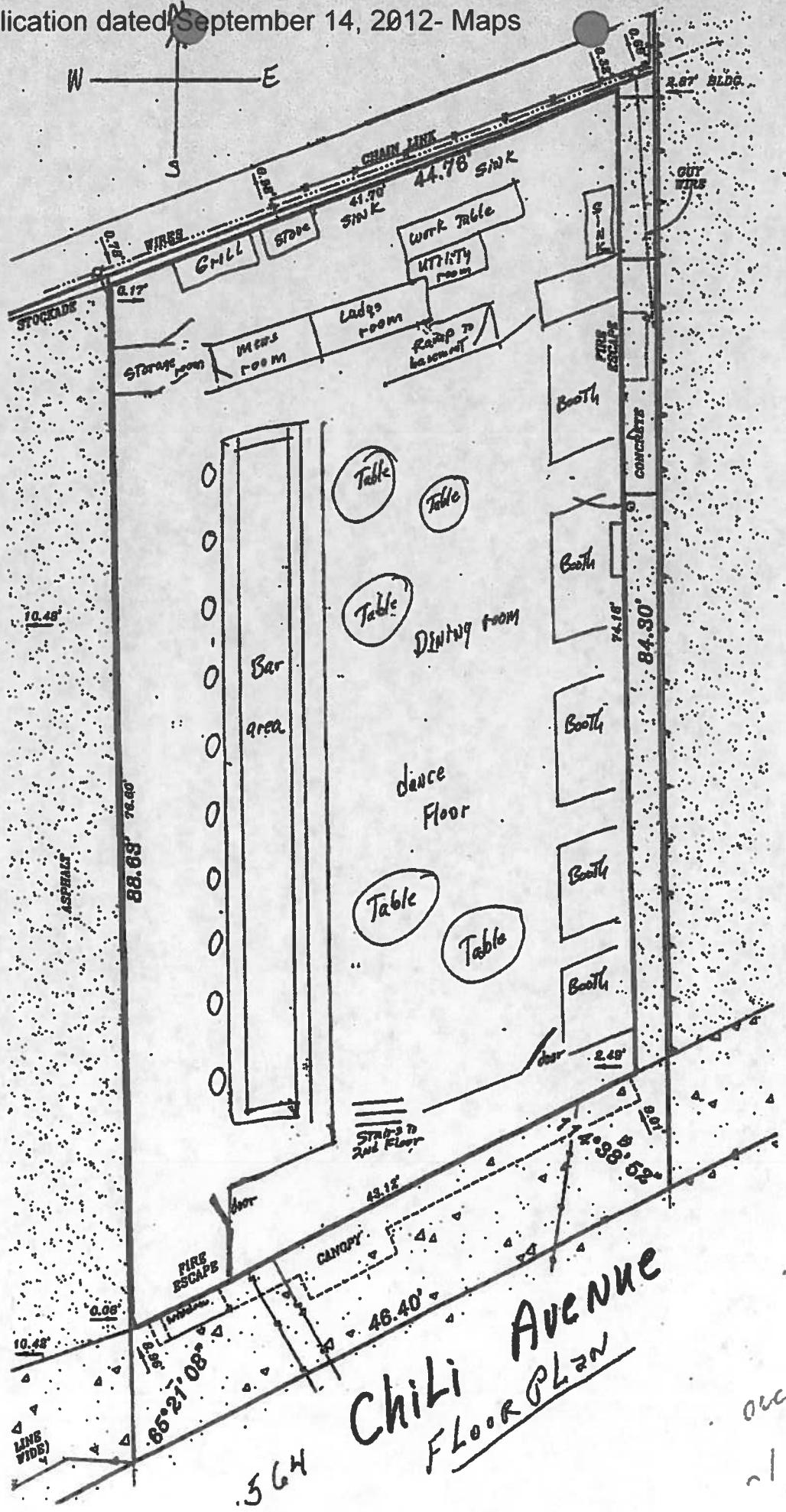
A Variance from the Building Code is required

Contract document signed and sealed by a designee of the owner

REPUTED OWNER
REGINA GROOMS

Variance Application dated September 14, 2012- Maps

W ————— **E**



46.40' AVENUE
Chili FLOOR PLAN

occupy
all parking spaces